

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

NAN HUI CHEN,

Plaintiff,

v.

**DEUTSCHE BANK NATIONAL TRUST
COMPANY, *et. al.*,**

Defendant.

Case No.: 13-CV-3352 YGR

**ORDER DENYING IN PART PLAINTIFF'S
MOTION FOR EXTENSION OF TIME**

Now before the Court is Plaintiff's Motion for Extension of Time to file her Motion to Amend and First Amended Complaint (Dkt. No. 60) and Defendants' Opposition thereto (Dkt. No. 61).

Although not titled as such, the instant Motion represents Plaintiff's second request for an extension of time to file these documents. In its Order Granting in Part Defendants' Motion to Dismiss with leave to amend, the Court provided Plaintiff approximately two weeks in which to file her Motion and Amended Complaint.¹ (Dkt. No. 55 at 19.) On June 23, 2014, one day before that deadline was to expire, Plaintiff filed a stipulation for a one-week extension. (Dkt. No. 58.) The Court granted the stipulation and provided Plaintiff until July 1, 2014 to file her Motion to Amend and Amended Complaint. On July 1, 2014 at 11:25 p.m., Plaintiff filed the instant Motion for Extension of Time, requesting an additional 21-day continuance of the Court's previously reset deadline. (Dkt. No. 60.)

Plaintiff's counsel's eleventh hour request for an extension of time does not comport with the standards of professional conduct for attorneys practicing in this district. N.D. Cal. L. Civ. R. 11-4.

¹ Despite Plaintiff's suggestion that the requirement that she provide her Proposed First Amended Complaint in conjunction with her Motion to Amend places an additional burden on her counsel, the Local Rules of the Northern District of California make clear that in the ordinary course, a proposed amended complaint must accompany any motion for leave to amend. N.D. Cal. L. Civ. R. 10-1.


United States District Court

Northern District of California

Nor does this represent the first time the Court has extended deadlines for Plaintiff.² Plaintiff's failure to comply with deadlines has prevented this litigation from moving forward and unnecessarily delayed its resolution. Accordingly, Plaintiff's current request for a 21-day extension is **DENIED** in part. Plaintiff shall have until **Monday, July 14, 2014** to file her Motion to Amend and Proposed Amended Complaint as set forth in the Court's June 9, 2014 Order.³

IT IS SO ORDERED.

Dated: July 8, 2014


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE

² Previously, the Court *sua sponte* provided a three-week extension for Plaintiff to file an opposition to Defendant's Motion to Dismiss and continued the hearing on the same after it noticed that Plaintiff had failed to timely oppose that motion. (Dkt. No. 35.)

³ This date represents 35 days since Plaintiff was first put on notice as to the contents for any Motion to Amend. (Dkt. No. 55.)